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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/576,946	05/22/2000	Alexandre Dayon	19940-000110US	2721

20350 7590 09/10/2004

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EXAMINER

LE, HIEU C

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 09/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/576,946

Applicant(s)

DAYON, ALEXANDRE

Examiner

Hieu c. Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) 17-28 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-28 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/29/04 has been entered.

2. The Applicant's argument filed 6/29/04 have been fully considered but they are moot in view of new grounds for rejection.

Applicant traversed the restriction on the grounds that claims 1 & 7 have varying scope. This is not found persuasive because claims 17-26 is a subcombination and the combination (claims 1-16) as claimed does not require the particulars of the subcombination.

The requirement is still deemed proper and is therefore made FINAL.

3. Claim 4 is objected to because of the following informalities: Claim 4 recites "at least one a category" on line 5. It should be --at least one category---. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

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5. Claim 6 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 6 recites " wherein each dimension has sub-dimensions" lines 1-2. There is no disclosure in the specification as originally filed of a dimension has sub-dimension nor how to perform it.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 1-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1, recites the limitation "where only one or more portions that meet the respective values for the chosen dimensions are forwarded to the user computer " in lines 18-19. The metes and bounds of the claim are not defined because "only one" excludes any other portions and it is not clear how only one portion or only more than one portions can exist in the same claim.

There is insufficient antecedent basis for this limitation in the claim.

Claim 8 refer to claim 1 rejection.

Claim Rejections - 35 U.S.C. § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-4, 6-10, 11-13, 16 are rejected under 35 U.S.C. 103(a) as being over in view of Zellweger (US Patent 6,379,222) in view of Wical (US Patent 6,460,034).

As to claim 1, [as best understood by the Examiner] Zellweger discloses a method for accessing web pages on a network, wherein the network is coupled to a server computer and a user computer operated by a user, the user computer including a user input device and a display device, the method comprising:

transferring a portion of a web page from the server computer to the display device over the network, wherein the portion of a web page includes a selector allowing the user to concurrently select respective values for two or more dimensions [a web page displayed on user' display shown in Fig. 10 received from server 15, shown in Fig. 1. The web page includes a content menu 21 (selector enables the user to select), each content menu 21 includes a list menu 22 that represents dimensions (departments, services, employees) (Figs. 6 & 10) to the user to for the select respective values dimension "outsite counseling" is a respective values for the dimension "services" [(Fig. 10). The plurality of lists 21 are presented to the user concurrently as shown in Fig. 10].

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detecting a user's choice by receiving information generated in response to signals from the user input device to indicate the value selected for each dimension chosen by the user (col. 6; lines 36-40);

identifying one or more web pages associated with information that meets the respective values for chosen dimensions (col. 3, lines 48-52); and

sending information about the identified web pages to the user computer (col. 3, lines 13-25).

Zellweger does not disclose explicitly wherein at least one of the identified web pages includes a plurality of portion, and wherein only one or more portions that meet the respective values for the chosen dimensions, are forwarded to the user computer.

Wical discloses a search and retrieval system that classifies documents (web pages) into categories, each category is assigned a type value (dimension). As shown in Fig. 4, a category such as "Geography" has a dimension of different type values such as Europe, Western Europe, France. The documents are retrieved based on these values in a hierarchy (col. 11, lines 14-35). The document retrieved satisfies these values and includes a plurality of groups (portions) (col. 23, lines 1-15). The documents, groups (portions) are displayed on users display (i.e. Forwarded the user computer) (col. 5, lines 3-9).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Wical's teachings to modify Zellweger method by identifying web pages that includes a plurality of portions and forward one or more portions that

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meet the respective values to the user computer in order to help users locate information on the world wide web that is in their interest.

As to claim 2, Zellweger further discloses wherein the selector includes pull-down lists, one for each dimension wherein the two or more dimensions include geographic location, corporate department, employee classification and time period [(Fig. 10, pull down menu lists 21, one menu for departments, services (dimensions) and Fig. 6, shows two dimensions include department and employee classification] ; wherein each dimension is associate with a plurality of hierarchical values (col. 4, lines 21-49).

As to claim 3, Wical further discloses wherein information sent to the user computer is used to display a list of the identified web pages (col. 5, lines 3-10).

As to claim 4, Wical further discloses further comprising:

accepting signals from the user input device to create a document, the document having a plurality of portions [user input query creates a response that satisfies the query, the document includes groups (portions) (col. 23, lines 1-7)]; and

accepting signals from the user input device to associate each portion of the document with a value for at least one category, wherein a first portion of the document and second of the document are associated with different values for the same dimensions [the users input query associates a document with "a geography" (category) and assign dimensions such as political geography that has different values such as Europe, Western Europe, France (Fig. 4, col. 11, lines 14-35)].

As to claim 6, Wical further discloses wherein each dimension has sub-dimension, the method further comprising:

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defining a theme for associating documents with dimensions wherein theme is based on contents of the documents [as shown in Fig. 4, a dimension such as "political geographicy" is divided into sub-dimensions "Europe", "France", and themes are defined for corresponding dimensions (col. 2, lines 51-67)].

Claim 7, refer to claim 1 rejection. Zellweger further discloses a user interface for accessing web pages [graphic user interface (col. 3, lines 13-25)].

Claims 8 refer to claim 7 rejection.

As to claim 9, Zellweger further discloses wherein two or more dimensions include geographic location, corporate department, and employee categories (classification) (Fig. 6) and Wical further discloses a geographic location (Fig. 4).

Zellweger' discloses a system that enables end users navigate hyperlinks in a network like world wide web to locate a relevant information object (col. 2, lines 28-36). The topics are organized in an open hierarchical data structure (col. 4, lines 13-16, Fig. 10) and includes Departments, Employees categories (Fig. 6).

As to claim 10, refer to claim 1 rejection. Zellweger discloses the one or more dimension values include one or more hierarchy values (col. 4, lines 13-19);

As to claim 11, Wical further discloses wherein the plurality of dimensions include geographic location (Fig. 4).

As to claim 12, Zellweger further discloses wherein the plurality of dimensions include corporate department (Fig. 6, dimension is departments).

As to claim 13, Zellweger further discloses wherein the plurality of dimensions include employee classification (Fig. 6, dimension is employees).

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As to claim 16, Zellweger further discloses wherein the user specification is performed by means of a selector tool displayed on a graphical user interface to a digital processing system [a pop up list menu is displayed on by a graphic user interface (col. 3, lines 19-25)].

8. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zellweger (US Patent 6,379,222) in view of Wical (US Patent 6,460,034), as applied to claim 4 and further in view of Mills (US Patent 6,466,940).

As to claim 5, Zellweger further discloses further comprising associating a user with a dimension (col. 5, lines 41-48, col. 5; line 66-col.6, line 7) .

Zellweger does not discloses using the user's associated one or more values as a default values for each dimension associated with the created document.

Mills discloses searching databases of classification, contact and or geographical information by interrogating web pages posted on a network (col. 5, line 6-col. 6, lines 7). Searching method involves finding URL references or finding sets of associated database property values from databases containing classification, contact geographical information (CCG-data), relating query field to a corresponding database property according to type and locating CCG-data database property value (col. 9, lines 40-50), and using query expressions as a default (col. 9, line 60-col. 10, line 2).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Mills's teachings to modify the combined method of Zellweger and Wical by using user's associated one or more values as default values

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for each dimension in order to increase the efficiency of the search engines in locating web pages of interest on the network.

9. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zellweger (US Patent 6,379,222) in view of Wical (US Patent 6,460,034) as applied to claim 14 and further in view of Merriman et al (US Patent 5,948,061).

As to claim 14, neither Zellweger nor Wical discloses wherein the dimension is time period.

Merriman discloses a method for delivery of advertisements on a network where the user selects an advertisement on a network where the user selects on advertisement from a web page within a predetermined period (col. 7, lines 15-26).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Merriman's teachings to modify the combined method of Zellweger and Wical by classifying the web pages in the time period predetermined in order to provide control over accessing web pages within predetermined timed period.

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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hieu Le whose telephone number is (703) 306-3101.

The examiner can normally be reached on Monday to Friday from 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey, can be reached on (703) 305-9705. The fax phone number for this Group is (703) 308-9051.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Hieu Le


JACK B. HARVEY
SUPERVISORY PATENT EXAMINER